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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,830	01/22/2002	Heinrich Lang	LMX-69-CON	6532
7590 McNAIR LAW FIRM P O BOX 10827 GREENVILLE, SC 29603-0827	08/22/2007		EXAMINER SHAVER, RICKY D	
			ART UNIT 2872	PAPER NUMBER
			MAIL DATE 08/22/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10053830		LANG ET AL	

EXAMINER

Ricky D. Shafer

ART UNIT	PAPER
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2872 20070815

DATE MAILED:

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Commissioner for Patents

See Attachment.

1. The reply filed on 06/06/2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant failed to properly address and/or respond to the obviousness-type double patenting rejections, set forth as items 5 and 6, of the last Office action mailed on May 21, 2007. Note: In order to be considered a proper response, applicant is required to either provide an appropriate terminal disclaimer(s) or arguments as to how the claims of the present application (10/053,830) patentably distinguishes over the claims of the other patents, not how the claims of the patents patentably distinguishes over the claims of the present application, as advanced by applicant. Note, i.e., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969). See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RDS

August 15, 2007

Ricky D. Sharp
RICKY D. SHARP
PATENT EXAMINER
ART UNIT 2872